

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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CURTIS NIMMONS,

Plaintiff,

vs

9:03-CV-671

S. HOUGH, Officer; OFFICER HARTMAN;  
and SERGEANT SILVER,

Defendants.

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APPEARANCES:

OF COUNSEL:

CURTIS NIMMONS  
Plaintiff, Pro Se  
89-A-2623  
Mohawk Correctional Facility  
P.O. Box 8451  
Rome, NY 13442

HON. ELIOT SPITZER  
Attorney General of the  
State of New York  
Attorney for Defendants  
Department of Law  
The Capitol  
Albany, NY 12224

JEFFREY P. MANS, ESQ.  
Asst. Attorney General

DAVID N. HURD  
United States District Judge

**DECISION and ORDER**

Plaintiff, Curtis Nimmons, brought this civil rights action pursuant to 42 U.S.C. § 1983. By Report-Recommendation dated August 29, 2006, the Honorable George H. Lowe, United States Magistrate Judge, recommended that defendants' motion for summary judgment be granted. No objections to the Report-Recommendation have been filed.

Based upon a careful review of the entire file and the recommendations of Magistrate Judge Lowe, the Report-Recommendation is accepted and adopted in its entirety.

See 28 U.S.C. 636(b)(1).

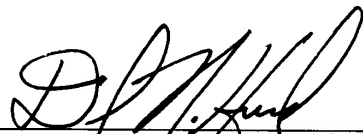
Accordingly, it is

ORDERED that

1. Defendants' motion for summary judgment is GRANTED;
2. The complaint is DISMISSED; and
3. The Clerk is directed to enter judgment accordingly.

IT IS SO ORDERED.

Dated: October 16, 2006  
Utica, New York.

  
United States District Judge